

Hellerstein

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
New York Division**

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DUNKIN' DONUTS FRANCHISED
RESTAURANTS LLC,
a Delaware Limited Liability Company,
DD IP HOLDER LLC,
a Delaware Limited Liability Company,
BASKIN-ROBBINS FRANCHISED SHOPS LLC,
a Delaware Limited Liability Company,
BR IP HOLDER LLC,
a Delaware Limited Liability Company

Plaintiffs,

v.

TREMONT DONUT LLC,
a New York Limited Liability Company,

Defendant.
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ORIGINAL

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/19/07

C.A. No. 07-CV-11274 (AKH)

MEMO ENDORSED

ORDER TO SHOW CAUSE

Upon the annexed **Certification of Ronald D. Degen**, pursuant to **Local Rule 6.1(d)**, and all the other papers annexed hereto in support of the motion of Plaintiffs Dunkin' Donuts Franchised Restaurants LLC, DD IP Holder LLC, Baskin-Robbins Franchised Shops LLC and BRIP Holder LLC for a preliminary injunction enjoining Defendant Tremont Donut LLC to cease violating the Dunkin' Donuts and Baskin-Robbins standards for health, sanitation and safety set forth in Defendant's Franchise Agreement at its business located at 2702 East Tremont Avenue, Bronx, New York; and sufficient cause therefor appearing, it is

ORDERED, that Defendant Tremont Donut LLC. show cause before HONORABLE

ALVIN K. HELLERSTEIN, United States District Judge, on the 3rd day of January, 2008, at

Ordered that plaintiff show that the court has jurisdiction over the subject matter of the action by supplemental paper filed advised by 12/20/07.

(AKH)

(AKH)

3:15 o'clock in the after noon of that day or as soon thereafter as counsel can be heard, at Courtroom 14d, the United States Court House, 500 Pearl Street, New York, New York, why an order should not be entered granting Plaintiffs' motion for a preliminary injunction enjoining Defendant to cease violating Plaintiffs' standards for health, sanitation, and safety, as identified on the Food Safety and Sanitation Inspection form dated November 27, 2007, attached to Plaintiffs' motion papers as Exhibit 4; and it is further

ORDERED, that opposition papers, if any, must be filed with the Court and served on Plaintiffs' attorneys, and A courtesy copy must be delivered to Judge Alvin K. Hellerstein, on or before the 27 day of December, 2007; and it is further

ORDERED, that reply papers, if any, must be filed with the Court and served on Defendant or its attorneys, and a courtesy copy must be delivered to Judge Alvin K. Hellerstein, on or before the 28 day of December, 2007; and it is further

ORDERED, that service of a copy of this Order and the papers upon which it is made together with courtesy copies of the summons and complaint, upon Defendant by personal service ~~overnight~~ carrier on or before the 19 day of December, 2007, be deemed good and sufficient service.

Dated: New York, New York

December 18, 2007 3:15 pm

Security in the amount of \$100,000 will be posted

by [signature]

[Signature]
ALVIN K. HELLERSTEIN
United States District Judge